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15 *Attorney for Defendant AnchorFree, Inc.*

16 **Admitted Pro Hac Vice*

17 **IN THE UNITED STATES DISTRICT COURT**
18 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
19 **SAN JOSE DIVISION**

20 JOHN MCCLAIN, individually and on behalf)
of all others similarly situated,)

CASE NO.: 3:14-cv-1282-BLF

21)

**STIPULATION AND ORDER
REGARDING ADR PROCESS**

22)

23 v.)

Judge: Hon. Beth Labson Freeman
Action Filed: March 19, 2014

24 ANCHORFREE, INC., a Delaware)

25 Corporation,)

26)

27)

28)

1 WHEREAS, Plaintiff John McClain ("Plaintiff") filed his Complaint in this action against
2 Defendant AnchorFree, Inc. ("Defendant") (together with Plaintiff, the "Parties") on March 19,
3 2014;

4 WHEREAS, by agreement of the Parties, Defendant's deadline to answer or otherwise
5 respond to the Complaint is May 21, 2014;

6 WHEREAS, Defendant intends to file a Motion to Compel Arbitration on May 21, 2014;
7 and

8 WHEREAS, the Parties have met and conferred regarding ADR pursuant to Civil L.R. 16-
9 8 and ADR L.R. 3-5 and agree that selecting and/or participating in an ADR process is premature
10 until Defendant's Motion to Compel Arbitration is resolved.

11 THEREFORE, the Parties hereby stipulate, subject to the Court's approval, as follows:

12 **STIPULATION**

13 1. The Parties, by and through their undersigned counsel, hereby stipulate and
14 respectfully request that the requirements of Civil L.R. 16-8 and ADR L.R. 3-5 regarding the
15 selection of an ADR process be stayed until thirty (30) days following the resolution of
16 Defendant's Motion to Compel Arbitration.

17 **IT IS SO STIPULATED.**

18 **JOHN MCCLAIN**, individually and on
19 behalf of all others similarly situated,

20 Dated: May 15, 2014

By: /s/ Rafey S. Balabanian
Rafey S. Balabanian

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Dated: May 15, 2014

ANCHORFREE, INC.

By: /s/ Tonia Ouellette Klausner
Tonia Ouellette Klausner

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: May 16, 2014


Honorable Beth Labson Freeman
United States District Judge

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ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1

I, Tonia Ouellette Klausner, am the ECF User whose identification and password are being used to file this document. In compliance with Civil Local Rule 5-1, I hereby attest that all signatories have concurred in this filing.

Dated: May 15, 2014 By: /s/ Tonia Ouellette Klausner
Tonia Ouellette Klausner